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FILED
8/15/2025

AXM

IN THE UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF ILLINOIS THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT
EASTERN DIVISION

Bashir Chaudry, Bushra Naseer, Junaid)	
)	
Ahmad, Ali Chaudry, Rabia Chaudry,)	24 - CV - 00658
)	
Shamaila Rafiq, Amjad Chaudry)	Hon. Judge Martha Pacold
)	
Syed Jahantab, South Chicago One Inc.)	Magistrate Judge
)	Daniel McLaughlin
BCA Investments Inc., Congress & Pulaski)	
)	
Real Estate LLC.,)	

MOTION TO COMPEL AND FOR SANCTIONS

NOW COMES THE PLAINTIFF Zafar Sheikh and files this motion to compel the defendants to produce documents as requested and to impose sanction and allow fees and costs for delaying the proceedings. In support whereof the Plaintiff states as under:

- 1- On 6/17/2025 this Court issued a discovery schedule which laid down the time lines in which the parties were to conduct discovery. (Schedule A).
- 2- Court ordered discovery schedule ordered the parties to provide initial disclosures under Rule 26(a)(1) by the 1st of July 2025.
- 3- Despite the orders, the defendants failed to provide any documents or disclosed any other discoverable information to the Plaintiff already in their possession.
- 4- Having failed to receive any initial disclosures, Plaintiff served a production request on the defendants to produce documents through their attorneys, Dan Garbis and

Anthony Zac on 6/26/2025 and 6/30/2025 respectively, giving them 28 days to respond and produce the documents requested.

- 5- In addition, Plaintiff also issued a Subpoena to Attorney Justin Kugler, who may have represented one or more defendants at one time over the last few years, to produce documents concerning those individuals in his possession. Attorney Kugler was to respond to the Subpoena and produce documents by 7/21/2025.
- 6- None of the defendants produced any document as requested by the Plaintiff.
- 7- Having failed to receive any document or any other communications from the defendants, on 8/6/2025, the Plaintiff emailed Attorney Dan Garbis enquiring about the documents. Plaintiff did not receive any response. (Schedule B # 1)
- 8- On 8/7/2025, Plaintiff sent another email asking Attorney Dan Garbis to provide an agreeable date and time, so the parties could meet and confer under Rule 37, as to any reasons of delay in producing document and any issues regarding the Plaintiff's request. (Schedule B # 2).
- 9- Plaintiff failed to receive any response for a meeting and as of today's date (8/13/2025) of filing the Motion to Compel, Plaintiff still has not received any response or any other sign or inclination on Attorney Garbis' part to comply with the request to produce documents.
- 10- Attorney Anthony Zac, who represents defendant Congress & Pulaski has also failed to provide documents. In an email Plaintiff enquired as to the status of the documents, (Exhibit C # 1) to which Attorney Zac responded by saying that he had completely forgotten about the request for production of documents.

- 11- Plaintiff requested Attorney Zac that he should meet and confer with the Plaintiff on 8/11/2025, so the parties could have an understanding regarding any issues or firm dates for the production of requested discovery documents. (Exhibit C # 2)
- 12- Attorney Zac failed to agree to a meeting.
- 13- Regarding Attorney Justin Kugler, Plaintiff had sent him a Subpoena to provide documents, which were due by 7/21/2025. Since it took longer to serve Mr. Kugler, Plaintiff at his own initiative, emailed him that he was being given two additional weeks to respond to the Subpoena for production of documents. (Schedule D # 1).
- 14- Having failed to receive the documents even after granting an additional two weeks. Plaintiff emailed Attorney Kugler and enquired about the documents. (Exhibit D # 2).
- 15- Attorney Kugler responded to the email suggesting that he was out of the Country in Mexico and will not be back till the end of August 2025.
- 16- Plaintiff reminded Attorney Kugler that he had already been given two additional weeks and documents were long overdue. Plaintiff also reminded him that most of the documents requested should be readily available on his email servers and provision of those documents could be taken care of even out of the U.S. (Exhibit # 2 & 3).
- 17- Attorney Kugler would still not agree to that suggestion or even provide a firm date as to when or by which date he could comply with the Subpoena and furnish documents as requested by the Plaintiff.

RELIEF REQUESTED

- 18- It is becoming apparent that the defendants are stalling and have shown no inclination to provide documents nor are they willing to comply with Rule 37

requirements to hold meetings to confer and iron out any issues, if any, for the production of documents or set any deadlines to produce those documents.

- 19- Conduct of the defendants and their consuls is a clear violation of Rules and only a clear message by this Court to enforce those rules, specially at the beginning of the discovery process, will draw their attention.
- 20- Plaintiff is also of the opinion that these attorneys have a mindset that since the Plaintiff is pro-se and they are attorneys, maybe or possibly the Court will overlook their defiance and grant them an extra leeway to set their own time table.
- 21- In view of the above, Plaintiff prays that the Court take an immediate action and sanction Attorney Zac, Garbis and Kugler and slap legal fees and costs that Plaintiff has dispensed or is entitled to and also issue an order to produce all documents requested by the Plaintiff in five business days or face additional monetary penalties.

/ S / Zafar Sheikh
Zafar Sheikh/Plaintiff
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Austin. TX. 78723.
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NOTICE OF FILING & PROOF OF SERVICE

TO:

Attorney Anthony Zac: Via court's ECF system
Attorney Dan Garbis: Via Court's ECF system
Attorney Justin Kugler: justin@kuglerlawoffices.com

I, Zafar Sheikh, Plaintiff in this case, do hereby certify that I have filed "Motion to compel and for Sanctions", on the 13th of August, 2025, a copy of which has been served on attorneys of record, via Court's CM/ECF electronic System and via email as identified above.

/S / Zafar Sheikh
Zafar Sheikh/Plaintiff
4619 Herzog Street,
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Tele: 847-414-9670